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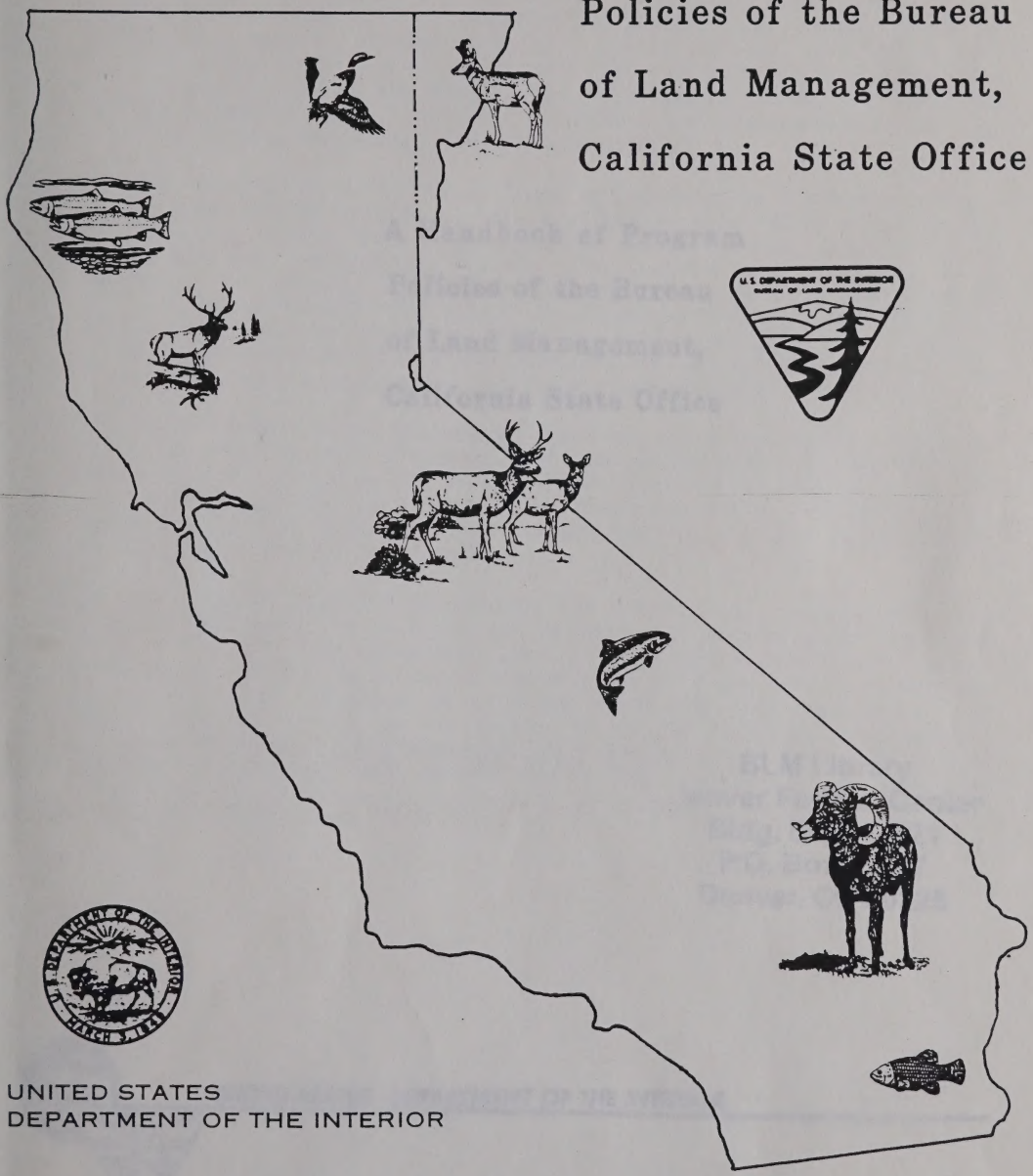
FISH AND WILDLIFE HABITAT MANAGEMENT on the PUBLIC LANDS: A Handbook of Program Policies of the Bureau of Land Management, California State Office



UNITED STATES
DEPARTMENT OF THE INTERIOR

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A Handbook of Program
Policies of the Bureau
of Land Management,
California State Office

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UNITED STATES DEPARTMENT OF THE INTERIOR

Foreword

Congress, in passing the Federal Land Policy and Management Act (FLPMA) of 1976, established the general policy that public lands be managed for multiple use and sustained yield to meet our present and future needs. These needs include national demands for energy, land, water, minerals, recreation, timber, livestock forage, public access, open space, and natural values. FLPMA also recognizes fish and wildlife development and utilization as one of the major uses of the public lands, and specifies Bureau responsibilities to protect ecological and environmental resources and provide food and habitat for fish and wildlife.

The 17.1 million acres of public lands administered by the Bureau's California State Office provide a variety of habitats for fish, wildlife, and native plant species associated with the deserts, range, and forests of California and northwestern Nevada. Maintaining and improving these habitats are directly associated with an action program sustained by cooperation and coordination involving all resource uses. We feel that a strong commitment to cooperative relations and coordination with neighboring landowners and administrative agencies is essential to successful fish and wildlife habitat management and is the cornerstone to our program.

As has often been said, the way in which we manage our natural resources is an important facet of the quality of life we can expect and the economic opportunities passed on to future generations. Fish and wildlife are significant indicators of the quality of our environment; therefore, it is important that we understand and sustain the relationship between fish, wildlife, man, and the environment.

In this time of accelerating demands for public land resources and competitive land uses, it is essential we implement carefully designed programs for public land management. Executive direction continues to stress the role of the Bureau in being a good steward of the Nation's resources and being a good neighbor to adjacent landowners and local users. In response to this charge, we are seeking to resolve conflicts among competing uses in a spirit of cooperation and trust, making costeffective investments to protect and enhance the public lands, and to make--not avoid--those tough decisions to allocate these valued resources fairly.

TABLE OF CONTENTS

		Page
Foreword		i
Table of Contents		ii
I.	Introduction	1
II.	Policies	2
	A. Wildlife Management - General	2
	B. Multiple-Use Coordination	2
	C. Cooperative Relations	3
	D. Research	3
	E. Sikes Act Wildlife Programs	3
	F. Species Life History and Habitat Requirements	5
	G. Wildlife Inventory	5
	H. Big Game Studies	5
	I. Aquatic Studies	6
	J. Stream Surveys	6
	K. Lake and Reservoir Surveys	7
	L. Water Analysis for Fisheries	7
	M. Aquatic Resource Management	7
	N. Reservoir Development	10
	O. Wetland - Riparian Area Protection and Management	10
	P. Habitat Management Plans	10
	Q. Wildlife Introduction and Transplant	12
	R. Threatened and Endangered Wildlife	13

I. Introduction

The diverse and varied habitats found on the 17.1 million acres of public lands administered by BLM in California support hundreds of fish, wildlife, and native plant species. These resources are prized for their recreational, scientific, educational, social, economic, cultural, and esthetic values. The Bureau, through a multitude of Federal Laws and Executive Orders, has the responsibility to protect and manage these resources by actions that improve and safeguard their habitats. Recognizing that fish and wildlife serve as a barometer of the health of the human environment, our ability to sustain environmental quality is directly linked to maintaining good habitats for abundant and diverse fish, wildlife, and plant resources.

Successful habitat management depends on a strong commitment by the Bureau and upon how well we coordinate, not only within the Bureau, but with adjacent landowners and other resource management agencies. We view cooperative relationships with our neighbors as a vital component of our program since wildlife does not recognize property boundaries. Open communication with the State Department of Fish and Game is a crucial link in coordinating our habitat management responsibilities with the State's species management responsibilities to ensure effective management actions.

Our basic goal is to manage fish, wildlife, and native plants as one of the "principal uses" of the public lands on a sustained-yield basis and to maintain viable populations. We will achieve this goal through coordinating wildlife needs with plans for development of other resources. In some cases, we will recommend and implement the alternative that best meets the needs of wildlife. In other cases, we may choose an alternative other than that designed to enhance wildlife values. In either case, we will strive to maintain, enhance, or restore habitat where practical to do so.

This handbook is a compilation of current policies which guide our management of fish, wildlife, and native plant habitats on the public lands of California and northwestern Nevada. Its purpose is to draw together all Washington Office and California State Office policies published in manual form or issued as Instruction Memoranda. It is hoped that the handbook will prove useful to biologists and non-biologists within the Bureau as well as outside agency personnel and groups seeking out published Bureau policy. The handbook generally follows the orgainzational structure of Bureau Manual Sections 6500 to 6800. No attempt was made to rewrite any of the policy statements. Instead they are presented here just as they occur in the Manual or appropriate Instruction Memoranda. Following each section heading you will find an MS or IM reference in parenthesis. These references identify the specific documents where the policies originate. It is our intention to update or revise this handbook as new policy is issued or old policy is revised periodically.

It should be remembered that these policies apply not only to the Bureau's fish and wildlife habitat management program in California, but also to all programs which affect public land habitats. Many of the following statements are national in scope but apply equally to the public lands administered by this office. These statements, plus specific statewide elements, are designed to provide a framework for guiding our programs in the management of public lands as we approach the 21st century.

II. Policies:

A. Wildlife Management - General (MS 6500, IM 84-59)

1. Develop recommendations for wildlife habitat management based on a) analysis of ecological conditions, b) legal mandates, c) Federal goals for migratory species and federally listed threatened or endangered species, d) State goals for resident wildlife populations, e) social and economic values, and f) concerns of the public.

2. Conduct investment analyses to ensure that all habitat improvement plans constitute the most cost-effective means of achieving stated management objectives for fish and wildlife habitat.

3. Develop incentives to encourage benefiting users (e.g., local governments, interest groups, and individuals) to invest in fish and wildlife habitat management and enhancement.

4. Strengthen and improve the professional, technical, interdisciplinary, and managerial skills of Bureau fish and wildlife personnel to enhance their performance and increase job satisfaction.

B. Multiple-Use Coordination (MS 6500, IM 84-59)

1. Forge strong and effective communications and coordination between the wildlife program and other Bureau programs, encouraging interdisciplinary teamwork in the development of resource management options that meet fish and wildlife objectives.

2. Wildlife - Forest Management:

a. Maintain habitat for viable, self-sustaining populations of cavity-nesting and snag-dependent wildlife species. This shall include the retention of selected trees, snags, and creation of new cavities, as well as selection of old-growth stands to meet habitat needs of wildlife dependent upon old-growth stands.

b. BLM has the primary responsibility for planning the Forest Management program and managing the timber stands with the general objective to yield the highest combined values of beneficial uses under multiple-use principles. In fulfilling this responsibility, managers will consult with and coordinate plans with appropriate State agencies, local officials, other Federal agencies and adjoining landowners to ensure that the best possible plans result.

3. Wildlife - Range Management:

a. Maintain habitat for viable, self-sustaining populations of forest and rangeland wildlife. Special emphasis shall be placed on management and protection of wetland-riparian areas and other crucial areas, from competition with domestic livestock, wild horses and burros, or other uses which cause significantly adverse impacts on a long-term basis.

b. Design all vegetation and water developments on public lands to manage wildlife habitat for priority species in the area. Safe and available water will be maintained in all livestock watering facilities for wildlife throughout the year, including the arid areas of the southwest.

C. Cooperative Relations (MS 6500, MS CA 6521, IM 84-59)

1. Recognize State management of resident species, through a State/Federal partnership, is essential for species habitat management programs. In working with the states the BLM will continue to use its authority under the Sikes Act as one of the primary means of achieving effective coordination.

2. Initiate active cooperation with State, local, and other Federal agencies in all facets of the wildlife program. These agencies are encouraged to maximize use of available resources by providing funds and equipment or by exchanging information and skills needed for fish and wildlife management.

3. Create opportunities for broad public involvement that will foster awareness, support, assistance, and participation in cooperative programs that enhance fish and wildlife habitat.

4. Actively encourage Cooperative Management Agreements (CMAs) with wildlife management agencies and organizations, other conservation interests, and public service groups.

5. BLM will maintain close cooperation and coordination with the State Department of Fish and Game on matters of wildlife, wildlife habitat, and other areas of common interest on BLM-administered lands.

D. Research (MS 6524)

1. Field employees at all levels are encouraged to submit, for consideration, wildlife habitat research projects in order to gain needed technical knowledge regarding the use of ecosystem concepts in managing the wildlife resource.

E. Sikes Act Wildlife Programs (MS 6525)

In meeting BLM responsibilities for implementing the Sikes Act on the public lands, it is Bureau policy:

1. To assign Sikes Act implementation a high priority for allocation of wildlife program funds and personnel;

2. To develop effective Sikes Act programs in close coordination and cooperation with State wildlife agencies and, where applicable, the U.S. Forest Service and other appropriate agencies; and

3. To prepare and implement all Habitat Management Plans (HMPs) under Sikes Act authority with State agencies, except where:

   a. There are older HMPs prepared prior to the Sikes Act of 1974 (effective date of fiscal year 1975) where it is deemed unfeasible or otherwise unnecessary to do so;

   b. The State agency elects not to participate; or

   c. The State Director, with written documentation and justification, determines it may be unfeasible or otherwise unnecessary.

4. To accept contributed funds, equipment, services, or personnel from State agencies and others to implement Sikes Act programs.

5. To implement the Sikes Act in full coordination with the National Environmental Policy Act, Public Rangelands Improvement Act, Federal Land Policy and Management Act, Endangered Species Act, Executive Orders 11988 and 11990 (Floodplain Management and Protection of Wetlands), and other appropriate Federal laws and regulations. Procurement and assistance policy for implementation of the Sikes Act must also be in compliance with the Federal Grant and Cooperative Agreement Act.

6. To develop and implement Sikes Act programs in an orderly fashion, based on ecosystem management principles and the Bureau's planning, inventory, and environmental assessment systems. (See 43 CFR 1601 and BLM Manual Section 6500 and 6602.)

7. To use the term "memorandum of understanding" in preparing new or updated documents which define formal BLM/State agency points of cooperation and agreement under Sec. 202(c)(1) of the Sikes Act. A basic format for such memoranda of understanding is provided. Existing agreement documents that are still valid, in effect, and usable may remain in their present format.

8. To develop statewide plans to summarize general, long-term Sikes Act program goals and objectives if it is deemed appropriate by the respective BLM State Director and State agency Director. Such plans should be coordinated with similar efforts by the U.S. Forest Service whenever possible.

F. Species Life History and Habitat Requirements (MS 6601)

1. To effectively carry out the Bureau's responsibility for wildlife habitat management on public lands, personnel must utilize the most up-to-date and complete information available on the habits and requirements of the animals to be benefited.

G. Wildlife Inventory (MS 6610)

1. Focus inventory, monitoring, and research efforts in areas of high wildlife values, concerns, and opportunities, and where public interest or controversy exists;

2. Solicit the cooperation of the State wildlife agency (and Federal wildlife agency, where appropriate) before initiating inventories;

3. Effect and maintain coordination between the Bureau's program of inventory and related work of the State wildlife agency; and

4. Effect and maintain coordination and cooperation with programs of other land management agencies and private landowners, where appropriate.

H. Big Game Studies (MS 6630)

1. Coordination. The State wildlife agency shall be invited to cooperate in wildlife habitat analysis. Wherever possible the Bureau will utilize established State techniques when they are systematic and standardized. If the State lacks an applicable habitat analysis system, the Bureau will utilize techniques described in the BLM Manual. Both agencies should be represented on habitat study teams working on the public lands. Bureau offices should volunteer to assist the State and request State assistance in habitat analysis. If the problem area extends to other ownerships, it may be advisable to seek their cooperation in the analysis. Within the Bureau, coordination between units or districts may be necessary.

2. Priorities. Preference will be given to studying designated crucial big game habitat. Special consideration will be given to habitat of rare, threatened, and endangered species. The next priority will be given to habitat designated as important (defined in 1605.1, Appendix 6).

   a. Lands identified for multiple use by Type I, II or III classification;

   b. Units preferably having land use and program activity plans (defined in 1601);

   c. Lands under intensive management for another resource where wildlife is also an important, and sometimes conflicting, use;

d. Areas presenting a special problem related to important big game habitat; and

e. Locations where other interested agencies will actively cooperate in the study.

3. Frequency. To continue studies whenever necessary to satisfy the objectives.

4. Habitat Factors. Consider cover, food, water, and space.

I. Aquatic Studies (MS 6670)

1. It is Bureau policy that aquatic studies be coordinated with other Federal, State, and local agencies to avoid duplication of effort. It is also policy that existing methods of data collection be used to promote standard results.

J. Stream Surveys (MS 6671; CA 6671)

1. Coordination. Invite other Federal and State agencies to help determine the need for and participate in BLM stream surveys, before studies are conducted. All available past survey information should be evaluated before making a decision on future survey needs (MS 6671).

2. In order to meet its responsibilities and to maintain an accurate inventory of fisheries habitat on public lands, the following policies have been established by the California State Office (CA 6671).

a. Minimal stream surveys will be conducted on all perennial and intermittent streams (based on USGS 7.5 or 15-minute topographic maps) on public lands.

b. Stream survey data will be updated and maintained on a regular basis for all perennial and important intermittent streams on public lands.

c. Data collection standards for stream surveys as outlined in Manual Supplement CA-6671 will be the minimum when required for BLM's planning system, environmental statements or HMPs. Collections and analysis of additional and/or more detailed data is encouraged, but optional.

d. All stream surveys will be conducted in coordination with the State Department of Fish and Game, the U.S. Forest Service, the U.S. Fish and Wildlife Service, or other State and Federal agencies involved with stream surveys as the situation warrants. Use of personnel and equipment from these agencies is encouraged.

K. Lake and Reservoir Surveys (MS 6672)

1. It is Bureau policy that lake and reservoir inventory will be coordinated with local, State, and other Federal agencies to prevent duplication of effort and to use standard methods of data collection and analysis.

L. Water Analysis for Fisheries (MS 6674)

1. It is Bureau policy that collection of water chemistry data be coordinated with other Federal, State, and local agencies to prevent duplication and to employ standard methods of data collection and chemical analysis.

M. Aquatic Resource Management (CA 6720)

To achieve its objectives and meet Bureau responsibilities for the management of aquatic resources on the public lands it administers through the California State Office, the following policies are established.

1. General Policy

a. Avoid specific and cumulative adverse impacts to aquatic habitats to the extent practical. Where unavoidable adverse impacts would occur, include practical mitigation in management decisions.

b. Safeguard unique, representative, outstanding or rare aquatic habitats identified during the Bureau planning process through designation of Areas of Critical Environmental Concern (ACECs) or implementation of aquatic habitat management plans (AHMPs).

c. Maintain, enhance, and protect aquatic species habitat on public lands by giving priority attention to those habitats supporting aquatic species in the following order:

(1) rare, threatened, endangered, and sensitive species;
(2) anadromous species and species of economic value;
(3) resident cold-water and warmwater game species; and
(4) non-game species.

d. Incorporate cooperative and shared responsibilities between the Bureau and the State Department of Fish and Game for aquatic resource management, planning, and habitat development on public lands.

e. In order to facilitate the management of aquatic habitats on public lands the use of volunteer labor shall be considered whenever appropriate and/or necessary for program implementation.

2. Specific Policies

a. Inventories. Maintain updated aquatic inventories as specified in Bureau Manual Sections 6671 through 6673 in order to provide the necessary information to facilitate land use planning and management decisions.

b. Rare, Threatened, Endangered and Sensitive Aquatic Species (see also BLM Manual 6840). The aquatic resource management program in California shall include the following components to work toward protection of rare, threatened, endangered, and sensitive species.

(1) Identify rare, threatened, endangered, and sensitive aquatic species on public lands in cooperation with the State Department of Fish and Game and the U.S. Fish and Wildlife Service.

(2) Identify and protect critical or crucial habitat necessary for the continued existence of such designated aquatic species.

(3) Develop, implement, and maintain aquatic Habitat Management Plans (HMPs) or Area of Critical Environmental Concern (ACEC) plans to aid the recovery and possible delisting of rare, threatened or endangered species, and to prevent sensitive species from becoming so designated.

(4) Where approved recovery plans have been developed by the U.S. Fish and Wildlife Service for aquatic species, they will provide the specific direction and habitat requirements for inclusion in HMPs or ACEC management plans. For those species which are listed by the State, but not by the Federal Government, HMPs will conform to the direction and habitat requirements identified by the appropriate official State publication or status report.

(5) Should no appropriate recovery plan or status report exist, an HMP shall be developed at the earliest practical opportunity.

c. Instream Flow Needs. The Bureau shall recognize streamflow as a critical component of stream habitats and strive to include where necessary, in all Bureau activities affecting these habitats, estimates of instream flow requirements for maintenance of fisheries and aquatic habitats where Bureau activities affect such habitats.

Until standards are established in Bureau Manual Sections and/or State supplemental guidance, field biologists should use the method that best meets the needs of the situation.

Assessing streamflow requirements for protecting aquatic habitats will be an integral part of all aquatic inventory and monitoring procedures. The level of intensity of the field observations will correspond to the needs being met by the survey. As with general inventory procedures the different levels of effort for streamflow determinations will vary according to the decisions being considered by the land manager.

The Bureau shall provide written or oral testimony when appropriate to the California State Water Resources Control Board (SWRCB) identifying streamflow requirements for aquatic habitat protection on all water rights applications affecting waters within BLM-administered lands.

d. Water Quality Requirements. The Bureau recognizes the importance of water quality to the protection of aquatic habitat and shall identify water pollution sources detrimental to aquatic life whenever possible. The Bureau shall avoid water quality degradation resulting from its programs to the maximum extent practicable and shall provide written or oral testimony when appropriate to the California State Water Control Board on all water quality matters pertaining to waters within BLM-administered lands.

e. Aquatic Habitat Monitoring and Evaluation. In order to maintain an effective aquatic habitat management program, the Bureau will regularly monitor aquatic habitats on public lands and evaluate the impacts of management decisions and habitat management practices upon them.

f. Anadromous Fisheries. In recognition of the importance of anadromous fisheries, it is Bureau policy to protect, maintain, and enhance aquatic habitats supporting salmon and steelhead spawning populations and to enhance or restore their spawning and nursery areas to the maximum extent practical.

g. Public Fishing Access. To enhance the public benefit of resources on public lands it is Bureau policy to provide for the development and maintenance of public fishing access trails and trailheads on all BLM lands adjacent to sportfishing waters, whenever practicable. These developments will be conducted in cooperation with State Department of Fish and Game.

h. Studies and Research Involving Aquatic Habitat/Multiple-use Relationships. In the routine management of aquatic habitat, where managers have identified a need, and to the extent funding is available, studies and research will be conducted.

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It is Bureau policy to promote or conduct such studies and/or research through cooperative efforts with State, other Federal agencies, and academic institutions.

N. Reservoir Development (MS 6721)

1. State law and water requirements will be followed on all reservoir developments.

2. Reservoir developments will follow all Federal water quality standards.

O. Wetland - Riparian Area Protection and Management (MS 6740)

1. In meeting Bureau responsibilities for the management, acquisition, and disposal of public lands, it is Bureau policy:

   a. To avoid the longand short-term adverse impacts associated with the destruction, loss, or degradation of wetland-riparian areas;

   b. To avoid construction in wetland-riparian areas whenever there is a practical alternative;

   c. To preserve and enhance the natural and beneficial values of wetland-riparian areas which may include constraining or excluding those uses that cause significant, long-term ecological damage;

   d. To include practical measures to minimize harm in all actions causing adverse impacts to wetland-riparian areas;

   e. To retain under BLM management all wetlands and riparian habitats except if transfer of public lands, minerals, and subsurface estates is mandated by legislation or Presidential order.

P. Habitat Management Plans (MS 6780)

In meeting Bureau responsibilities for fish and wildlife activity planning and related habitat management on BLM-administered lands, the following Bureau policies have been established.

1. Fish and wildlife resource opportunities must be maximized through program initiatives, such as Habitat Management Plans, and constructive interaction with other resource uses and activities (6500.D).

2. All HMPs must be prepared and implemented in consultation and coordination with State agencies or other appropriate agencies in the case of plants. HMPs also will serve as "comprehensive

plans" as provided for in Title II, Secs. 202(a)(2) and (b) of the Sikes Act, if so determined mutually by the BLM and the State agency. (see BLM Manual Section 6525.06C).

3. A Resource Management Plan (RMP) or Management Framework Plan (MFP) must normally be completed prior to the development and approval of an HMP, except with special prior approval from the State Director. Circumstances which might warrant special approval include habitat conditions requiring actions to accomplish the following:

   a. Conservation of Federal and State-listed rare, threatened, endangered, or sensitive plants and animals;

   b. Protection or enhancement of fragile wetland and riparian habitats;

   c. Reestablishment and/or prevention of extinction of an endemic State wildlife or plant species.

   d. Protection or enhancement of crucial biological use areas, e.g., strutting grounds, rookeries, calving areas, and nesting sites;

   e. Protection or enhancement of anadromous fish and other species of exceptionally high social or economic value; and

   f. Protection or enhancement of habitats of individuals or populations of special significance.

4. It may not be necessary to prepare HMPs for all fish, wildlife, or plant habitats assuming that such habitats are properly considered and included within another resource activity plan. If such is the case, the relevant activity plan will prescribe those actions necessary to improve, protect, and maintain the habitat and species involved and will define the funds and personnel required to implement the actions. HMPs and Allotment Management Plans (AMPs) should be coordinated for preparation and implementation to the fullest extent possible to avoid duplication of effort and save costs.

5. Funding priority for habitat development project work is given to those HMPs implemented under the Sikes Act, unless otherwise justified by the State Director.

6. State Directors and District Managers should strive to establish a balanced mix of new, completed, and implemented HMPs, such that varied geographic locations can receive habitat development funding and attention during different fiscal years. In addition, these officials should prepare long-term schedules of project survey and design actions to precede actual, on-the-ground project work.

7. HMP project work must receive proper maintenance, within allocated fund availability, to protect BLM, State agency, and other investments.

8. Wildlife habitat development work and related expenditures of funds are usually limited to areas covered by HMPs. However, such work may be completed outside HMP areas if deemed appropriate and so approved by the State Director (e.g., improvement of wildlife habitat within AMP areas). Other circumstances warranting such action include those previously defined under Section .06B.

9. Consultation with other Federal agencies, State agencies, and local governments is required during HMP preparation and implementation where their administrative lands are adjacent to the habitat management area. A special effort should be made to coordinate BLM Sikes Act HMPs with similar plans of the U.S. Forest Service. It may also be necessary to obtain HMP input and review from organizations, universities, or private individuals if their particular expertise is essential to successful HMP implementation.

Q. Wildlife Introduction and Transplant (MS 6820)

It is BLM policy that:

1. Only the introduction, transplant, or reestablishment programs approved or sponsored by the State wildlife agency may be considered for release on public lands.

2. Introductions or transplants may not be made into any area in which endangered or threatened native wildlife or plants occur, unless it can be conclusively demonstrated that no conflict will occur between the native and proposed release species.

3. No release may be made which conflicts with existing land uses and which cannot be resolved, provided that in cases where the release may be of greater benefit than the competing use, the release may take precedence. (See also BLM Manual Section 1603.2.)

4. Individuals or organizations may be held liable for damages and responsible for expenses incurred in control of unauthorized exotic wildlife introductions to the public lands.

5. Effective quarantine procedures must be applied to ensure disease free wildlife for release stock. Quarantine procedures must comply with all Federal and State regulations, restrictions, and requirements governing the importation of exotic animals into the United States. Only the offspring of such exotic animals imported into the United States may be introduced on public lands following approval of such programs. Prior to introduction, all such offspring must pass an examination by a qualified veterinarian.

6. Exotics considered for release must not be species possessing the potential for hybridization with native fauna, unless this is an objective of the release.

7. No exotic introductions may be made into wilderness areas or areas being considered for wilderness classification. Lands considered for special designation, such as primitive areas, natural areas, research natural areas, etc., may be considered on an individual basis.

8. Exotic wildlife introductions must be excluded from a surrounding buffer zone to exclude ingress into any of the above areas. The width of such zones around wilderness areas is a judgment factor based upon knowledge of the life history of the species to be released. Where such knowledge reveals that the species is likely to move into a wilderness area, then the release should not be made.

9. Top priority be given to protecting, maintaining, and enhancing the status of native fauna and flora. Introduction of exotic wildlife must be directed to filling a specific vacant ecological niche or a niche not filled by or suitable for a native species. Considerations should be given to an endangered or threatened exotic species where introduction may play a key role in the survival of that species.

R. Threatened and Endangered Wildlife (MS 6840)

1. It is Bureau policy to conserve federally and State-listed endangered or threatened animals and to further the purposes of the Endangered Species Act and similar State laws. State laws protecting animals faced with local extirpation or premature extinction apply to BLM programs and actions to the extent that they are consistent with the Federal Land Policy and Management Act (P.L. 94-579) and other Federal law. It is also Bureau policy to ensure that the crucial habitats of sensitive animals will be managed and/or conserved to minimize the need for listing those animals by either Federal or State Governments in the future.